

REMARKS

This is in full and timely response to the above-identified Office Action. The above listing of the claims replaces all prior versions, and listings, of claims in the application. Re-examination and reconsideration in light of the proposed amendments and the following remarks are respectfully requested.

Drawings

In answer to the Examiner's question "is a line missing", the client's position is that the drawings are correct and that no extra line is necessary. The secondary tongues are narrower than they are "deep" and the ratio of width to depth in Fig. 1 appears to be in keeping with that shown in Fig. 4. Irrespective of this, there is no requirement that the drawings be drawn to scale and be capable of being used as a blue-print - see MPEP 2125 for example.

Indeed, the first sentence of 35 U.S.C 113 requires a drawing to be submitted upon filing where such drawing is necessary for the understanding of the invention. It is submitted that the drawings are, in this instance, fully adequate to meet the "understanding of the invention" requirement. This is not a design application.

Rejections under 35 USC § 112

In connection with claims 9, 14 and 16 suitable amendments have been made to clarify the structure which is being claimed. It is submitted that the amendments which are set forth above overcome any lack of clarity and definiteness that may have been perceived. In connection with claim 17 the Examiner's attention is called to the fact that the claims are couched in mean plus function language - slot means for defining It is not clear why the Examiner is taking the position that the "no function is specified."

Rejections under 35 USC § 102

The rejection of claims 1-2, 6-13 and 14-17 under 35 USC § 102(b) as being anticipated by Vernet et al. is respectfully traversed.

Independent claims 1, 14 and 17 have been amended in a manner which renders this

rejection moot. For example, claim 1 has been amended via the inclusion of the subject matter of claim 5 which is acknowledged as not being anticipated by the Vernet et al. reference. Limitations pertaining serrations have been introduced into claims 14 and 17. Inasmuch as the outer walls of the Vernet et al. arrangement are smooth and devoid of serrations, it is submitted that these amendments overcome the anticipation rejection.

Rejections under 35 USC § 103

The rejection of claims 4 and 5 under 34 US § 103(a) as being unpatentable over Vernet et al. is respectfully traversed.

As will be appreciated from Fig. 4 of Vernet et al. the outer member (sleeve 3) is arranged to bulge and provide a structure that cannot be pulled back though the hole. Serrations on the exterior of this would be pointless and therefore would not be considered by the hypothetical person of ordinary skill. A further problem is that the rejection relies on the structure shown in Fig. 6 to suggest the provision of serrations on the tubular member which itself is screwed into the sleeve 3 to produce the bulging shown in Fig. 4.

The element denoted by the numeral 8 denotes an external thread. Note the disclosure of Vernet et al. at column 3, lines 43-65, which sets forth that:

The pin has three components: a **driving body 2**, an **expandable sleeve 3** and a piercing bit 4.

In this case this is a self-drilling pin; it could however also be used without its piercing bit.

The pin body 2 is tubular. It has, over a large part of its length, practically from the end 5 designed to receive the piercing bit 4, **an external thread 8**. The other end 6 of the body is provided with a stop collar 7. The body has an internal bore 9 with a cruciform cross section, extending from the stop collar 7 to the piercing end 5. Close to the stop collar 7, the internal bore 9 can for example be of the "Phillips" or "Posidrive" type. The **expandable sleeve 3** is also tubular so as to be **disposed around the body 2**. In this case it is made from plastic material.

One of its ends 10 **has an internal tapping 11, to interact with the thread 8 on the pin body** and to form a nut on the body, the other end 20 of the sleeve being provided with a stop collar 12, against which the collar 7 on the pin body is designed to bear. (Emphasis added)

The external thread 8 is therefore a functional part of an element which is separate from the sleeve 3 in which the slots 13 are formed, and which is intended to be operatively disposed in the sleeve 3 - see Fig. 3 of Vernet et al. This would not suggest what the rejection is attempting to suggest.

Indeed, it is clear that Fig. 6 does not show a second embodiment as advanced in the rejection. Fig. 6 merely illustrates one of the components of the embodiment depicted in Figs. 1-5. Thus, the motivation relied upon for rejection is based on a misunderstanding of that which is disclosed in Vernet et al. Clearly, the hypothetical person of ordinary skill is not going to be motivated to put screw threads on the outside of the sleeve in light of the teachings of using the screw threads found on a tubular member which is disposed in the sleeve and which to produce the bulging effect illustrated in Fig. 4.

New Claims

New claim 18 is added in this response. This claims sets forth structure which is patentable over the art of record in at least it is neither disclosed nor suggested therein. At the very least, all of the slots illustrated in Vernet et al. are (save any disclosure to contrary) uniform in length and are not disclosed as being otherwise. Support for the claims is found in the drawings, and the specification taken as whole.

Conclusion

The claims which stand before the Patent Office are allowable over the art for at least the reasons advanced above. Favorable reconsideration and allowance of this application is therefore courteously solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby

made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
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